



Docket No. ENDOV-59271 #4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:**

Steve G. Baker, et al.

SERIAL NO.: 10/066,436

FILED: January 30, 2002

**TITLE: THORACIC GRAFT AND  
DELIVERY SYSTEM**

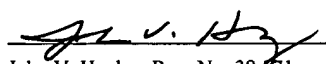
DATE: September 27, 2002

**Examiner:**

Group Art No.: 3738

**Certificate of Mailing Under 37 C.F.R. § 1.8**

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John V. Hanley, Reg. No. 38,171

**LETTER**

Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

Filed concurrently herewith is a Request To Rescind Previous Nonpublication Request. The Request To Rescind Previous Nonpublication Request has been filed because it is believed that the Nonpublication Request should not have been filed in this case since a foreign application was filed prior to the filing of the present application with the United States Patent and Trademark Office. As there has been no filing of a foreign application subsequent to the filing of the present application, 35 U.S.C. 122(b)(2)(B)(iii) does not apply.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

  
John V. Hanley

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252175.1

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/066,436
Filing Date	01/30/2002
First Named Inventor	Steve G. Baker
Group Art Unit	3738
Examiner Name	TBD
Attorney Docket Number	ENDOV-59271

Total Number of Pages in This Submission **3**

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
- Postcard; Letter; Request to Rescind Nonpublication**

Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John V. Hanley, FULWIDER PATTON LEE & UTECHT, LLP
Signature	<i>John V. Hanley</i>
Date	09/27/2002

## CERTIFICATE OF MAILING

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Typed or printed name	John V. Hanley
Signature	<i>John V. Hanley</i>
Date	09/27/2002

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PTO/SB/36 (10-01)

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**REQUEST TO RESCIND PREVIOUS  
NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)**

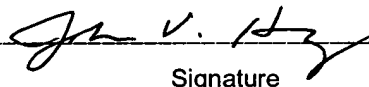
Application Number	10/066,436
Filing Date	1/30/2002
First Named Inventor	Steve G. Baker
Title	THORACIC GRAFT AND DELIVERY SYSTEM
Atty Docket Number	ENDOV-59271
Group Art Unit	3738
Examiner	TBD

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

9/27/2002

Date

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Signature

John V. Hanley, #38,171

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five days (45) days after the date of filing of the foreign or international application.

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type) John V. HanleySignature Date9/27/2002

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.